

AMENDED IN SENATE MAY 18, 2005

AMENDED IN ASSEMBLY APRIL 18, 2005

AMENDED IN ASSEMBLY MARCH 29, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 591

Introduced by Assembly Member Yee

February 17, 2005

An act to add Section 6535 to the Government Code, relating to Medi-Cal, *and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

AB 591, as amended, Yee. Medi-Cal: local health authorities and commissions: joint powers agreements.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Services and under which qualified low-income persons receive health care benefits.

Existing law provides for the establishment in a county of a health authority or commission to provide or contract for the provision of health care benefits to eligible persons. Existing law sets forth rules of governance for each health authority or commission so established and makes it a public entity for certain purposes.

Existing law authorizes 2 or more public agencies, by agreement, to exercise any power common to the contracting parties.

This bill would require that any entity that is established pursuant to a joint powers agreement that is a health care service plan, where one party to the agreement is an entity established in a county to provide or contract for the provision of health care benefits to eligible persons,

shall be subject to all of the same provisions, including, but not limited to, governance, public records requirements, open meeting requirements, and conflicts of interest as is the entity that is a party to the joint powers agreement, *unless otherwise specified in the entity's joint powers agreement.*

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ~~majority~~^{2/3}. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 6535 is added to the Government Code,
2 to read:

3 6535. Any entity that is established pursuant to a joint powers
4 agreement authorized under this article that is also a licensed
5 health care service plan, ~~where~~ *when* one of the parties to the
6 joint powers agreement is an entity established pursuant to
7 Section 14018.7, 14087.31, 14087.35, 14087.36, *14087.38*, or
8 14087.9605 of the Welfare and Institutions Code, shall be subject
9 to all of the same provisions, including, but not limited to,
10 governance, public records requirements, open meeting
11 requirements, and conflicts of interest as is the entity established
12 pursuant to Section 14018.7, 14087.31, 14087.35, 14087.36,
13 *14087.38*, or 14087.9605 of Welfare and Institutions Code, as
14 applicable, that is a party to the joint powers agreement, *unless*
15 *otherwise specified in the entity's joint powers agreement.*

16 SEC. 2. *This act is an urgency statute necessary for the*
17 *immediate preservation of the public peace, health, or safety*
18 *within the meaning of Article IV of the Constitution and shall go*
19 *into immediate effect. The facts constituting the necessity are:*

20 *In order to ensure that county local initiatives contracting as*
21 *Medi-Cal managed care plans establishing separate legal*
22 *entities for their non-Medi-Cal business will be subject as soon*
23 *as possible to the same requirements that apply to local*
24 *initiatives, it is necessary that this act take effect immediately.*